

**State of California, Court of Appeal
Fourth Appellate District, Division 3
January 22, 2008**

Court convened at 9:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, CA 92701. Panel members are Rylaarsdam, Acting P. J., Moore, J. and Fybel, J. Antoinette Cajigal deputy clerk attending.

G037629 CITY OF LAKE FOREST et al.

G037673 v.

G037878 A.J. WEST RANCH

G038032

G038325 Merits. Cause called. Cheryl A. Orr argued for appellant. Thomas E. Francis argued for respondent City of Lake Forest. Robert L. Lavoie argued for respondent Willdan. Cause submitted.

G038593 TROYSTAR INVESTMENTS, INC.

v.

ZABI SUBAT et al.

Merits. Cause called. Kathleen M. Hatley argued for appellant. Patrick J. Grannan argued for respondent. Cause submitted.

G038321 JAYNE MATHISEN

v.

STEVEN MATHISEN

Merits. Cause called. Jeffrey W. Doeringer argued for appellant and cross-respondent. Steven Nordhoff argued for respondent and cross-appellant. Cause submitted.

G038105 DAVID WENGER

v.

CITY OF NEWPORT BEACH et al.

Merits. Cause called. Dennis E. Wagner argued for appellant. David C. Larsen argued for respondent. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
January 22, 2008 (cont'd)**

Court reconvened at 1:30 p.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, CA 92701. Panel members are Sills, P. J., Rylaarsdam, J., Bedsworth, J. and Ikola, J. Antoinette Cajigal deputy clerk attending.

G038366 THE PEOPLE
 v.
 BRIAN E. LOGSTON

Merits. Cause called. Andrew E. Rubin argued for appellant. Christopher Beesley, Deputy Attorney General argued for respondent. Cause submitted.

G038363 THE PEOPLE
 v.
 JESUS MENDOZA

Merits. Cause called. Correen W. Ferrentino argued for appellant. Andrew Mestman, Deputy Attorney General argued for respondent. Cause submitted.

G038644 YVETTE BARDZIK
 v.
 JEFFREY BARDZIK

Merits. Cause called. Jeffrey W. Doeringer argued for appellant. William F. Kerwin argued for respondent. Cause submitted.

G037835 CHRISTINA BURKE
 v.
 JON N. OWENS

Merits. Cause called. Gregory Burke argued for appellant. Michael A. Corfield argued for respondent. Cause submitted.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
January 22, 2008 (cont'd)**

G038290 CARL KINDRICH et al.

v.

THE LONG BEACH YACHT CLUB et al.

Merits. Cause called. Steven K. Beckett argued for appellants. Dena S. Aghabeg argued for respondents. Cause submitted.

G037999 SIERRA CLUB

v.

CITY OF ORANGE et al.

Merits. Cause called. Frank P. Angel argued for appellant. Jeffrey T. Melching argued for respondent City of Orange. Christopher W. Garrett argued for respondent The Irvine Company. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
January 22, 2008 (cont'd)**

G035579 CINDY HAILEY et al.

v.

CALIFORNIA PHYSICIANS' SERVICE

Order filed. Order modifying opinion and denying petition for rehearing;
no change in judgment.

Aronson, J.

We concur: Rylaarsdam, Acting P. J.
Ikola, J.

G036413 THE PEOPLE

Certified for publication

v.

ROY LEE MORTON

Opinion filed. The judgment is affirmed.

Bedsworth, Acting P. J.

We concur: O'Leary, J.
Moore, J.

G037578 ORANGE COUNTY SOCIAL
SERVICES AGENCY et al.

Not for publication

v.

BELINDA Z.

Opinion filed. The judgment and orders are affirmed.

Moore, J.

We concur: Bedsworth, Acting P. J.
Fybel, J.

G039243 ORANGE COUNTY SOCIAL
SERVICES AGENCY

v.

JAIME S.

Order filed. The above entitled cause is ordered submitted this date.
C.R.C. rule 8.416(g)(3).

Sills, P. J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
January 22, 2008 (cont'd)**

G039453 NIVEEN I.

v.

SUPERIOR COURT; ORANGE COUNTY
SOCIAL SERVICES AGENCY et al.

Order filed. Pursuant to C.R.C. rule 8.452(h)(2), the above entitled cause
is deemed submitted January 22, 2008.

Sills, P. J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
January 23, 2008**

Court reconvened at 9:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, CA 92701. Panel members are Sills, P. J., Rylaarsdam, J., and Fybel, J. Antoinette Cajigal deputy clerk attending.

G038449 HASSAN MANNAA
 v.
 MOE A. ZAHABIQ

Merits. Cause called. Stuart W. Knight argued for appellant. Timothy C. Aires argued for respondent. Cause submitted.

G038527 COUNTY OF ORANGE
 v.
 WORKERS' COMPENSATION and JACK LEAN

Merits. Cause called. Christine A. Wogee argued for petitioner. Edward J. Singer argued for respondent Jack Lean. Cause submitted.

G037634 ADVANTAGE MEDICAL SERVICES, et al.
 v.
 DEBBIE HOFFMAN et al.

Merits. Cause called. Richard A. Derevan argued for appellants. Annabelle M. Harris argued for respondents. Cause submitted.

G038059 MARK HARRISON et al.
 v.
 ISLANDS RESTURANTS, LP

Merits. Cause called. Eric Kingsley argued for appellants. Bruce D. May argued for respondents. Cause submitted.

G037977 LOVAN, INC. et al.
 v.
 RALPH GIBSON PAGTER et al.

Merits. Cause called. Shun C. Chen argued for appellants. Catherine L. Sekely argued for respondents. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
January 23, 2008 (cont'd)**

Court reconvened at 1:30 p.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, CA 92701. Panel members are Sills, P. J., Bedsworth, J., O'Leary, J. and Aronson, J. Antoinette Cajigal deputy clerk attending.

G036819 TERRI ALKAYALI et al.
 v.
 RANDY LOGAN

Merits. Cause called. Court received fax'd notice appellant's counsel ill, matter continued, notice to given of new date and time. Counsel for respondent was present.

G038025 THE PEOPLE
 v.
 RYAN L. CARLSEN

Merits. Cause called. Russell S. Babcock argued for appellant. Andrew Mestman, Deputy Attorney General argued for the people. Cause submitted.

G038640 THE PEOPLE
 v.
 DANIEL R.

Merits. Cause called. Christian C. Buckley argued for appellant. Scott Taylor, Deputy Attorney General argued for the people. Cause submitted.

G036667 THE PEOPLE
 v.
 JOHN W. CLANCY

Merits. Cause called. Laura G. Schaefer argued for appellant. Robin Derman, Deputy Attorney General argued for the people. Cause submitted.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
January 23, 2008 (cont'd)**

G038365 KENNETH B. BINNS
 v.
 WESTMINSTER MEMORIAL PARK

Merits. Cause called. Toby M. Magarian argued for appellant. Lee W. Chen argued for respondent. Cause submitted.

G038492 DENNIS R. HEBERT
 v.
 CARL LATTING

Merits. Cause called. Appellant Dennis R. Hebert argued in propria persona. Martin Wolf argued for respondent. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
January 23, 2008 (cont'd)**

G038232 THE PEOPLE Not for publication
 v.
 JORGE M.

Opinion filed. The judgment is affirmed.
Fybel, J.

We concur: Sills, P. J.
 Aronson, J.

G038404 THE PEOPLE Not for publication
 v.
 NIGEL E. REYNOLDS

Opinion filed. The judgment is affirmed.
Bedsworth, Acting P. J.

We concur: Moore, J.
 Fybel, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
January 24, 2008**

Court reconvened at 9:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, CA 92701. Panel members are Rylaarsdam, Acting P. J., Aronson, J. and Fybel, J. Antoinette Cajigal deputy clerk attending.

G038772 KIM L.T. TRAN et al.
 v.
 AMEX ASSURANCE COMPANY

Merits. Cause called. Michael F. Smith argued for appellants. Jeffrey S. Allison argued for respondent. Cause submitted.

G038857 ORANGE COUNTY SOCIAL
 SERVICES AGENCY
 v.
 MARCELINO M.

Merits. Cause called. Linda S. Rehm argued for appellant. Alexandra Morgan, Deputy County Counsel argued for Social Services Agency. Cause submitted.

G038016 JOHN C. ZAHN
 v.
 AAMES HOME LOAN

Merits. Cause called. Richard V. McMillan argued for appellant. Jeffrey S. Allison argued for respondent. Cause submitted.

G038172 COUNTY OF ORANGE
 v.
 CHARLES R. GERKIN

Merits. Cause called. Mary Dahlberg, Deputy Attorney General argued for appellant. Jess Isles argued for respondent. Cause submitted.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
January 24, 2008**

G038413 AMERICAN CAPITAL GROUP, INC.

v.

CALJEAN VENDING et al.

Merits. Cause called. Lee W. Chen argued for appellants. Jeremy S. Johnson argued for respondent. Cause submitted.

G037661 ST. PAUL TRAVELERS INSURANCE COMPANY

&

v.

G037885 MARK DAVIS MASONRY, INC.

Merits. Cause called. Karen M. Bray argued for appellant. Douglas J. Collodel argued for respondent. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
January 24, 2008**

Court reconvened at 1:30 p.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, CA 92701. Panel members are Sills, P. J., O’Leary, J. and Aronson, J. Antoinette Cajigal deputy clerk attending.

G38603 FREIDA SARGISS
 v.
 MARLENE MAGARELLI, as Executor, etc.

Merits. Cause called. Sterling Winchell argued for appellant. Douglas K. Schreiber argued for respondent. Cause submitted.

G038829 ORANGE COUNTY SOCIAL
 SERVICES AGENCY
 v.
 HUGH S.

Merits. Cause called. Ronald Gold argued for appellant. Aurelio Torre, Jr., Deputy County Counsel argued for Social Services Agency. Cause submitted.

G038351 ORANGE COUNTY SOCIAL
 SERVICES AGENCY
 v.
 ERICA M. et al.

Merits. Cause called. Leslie Barry argued for appellant Erica M. Richard Pfeiffer argued for appellant Diana V. Paula Whaley, Deputy County Counsel argued for Social Services Agency. Cause submitted.

G038298 HOWARD AND WIELER et al.
 v.
 HARRY W. HUMPHREYS

Merits. Cause called. Jim T. Tice argued for appellant. Neil L. Shapiro argued for respondents. Cause submitted.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
January 24, 2008**

G038715 HOWARD AND WIELER DENTAL CORP. et al.
 v.
 HARRY W. HUMPHREYS

Merits. Cause called. Jim T. Tice argued for appellant. Neil L. Shapiro argued for respondents. Cause submitted.

G038476 HARRIETT D. THOMAS et al.
 v.
 DANIEL T. STEIN et al.

Merits. Cause called. David Burkenroad argued for appellants. Terrence J. Schafer argued for respondent Chang W. Rhee. Bradley J. McGirr argued for respondent Daniel T. Stein. Cause submitted.

G037337 MARK E. MAGRUDER
 v.
 JILL M. MAGRUDER

Merits. Cause called. Mark E. Magruder argued in propria persona. Terrence W. Roberts argued for respondent. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
January 24, 2008**

G037392 NEELOFER SAXENA ET AL Certified for publication
 v.
 WILLIE GOFFNEY

Opinion filed. The judgment is reversed and remanded with directions.
Petition denied.

Ikola, J.

We Concur: Sills, P. J.
 Rylaarsdam, J.

G037656 THE PEOPLE
 v.
 BULMARO REGALADO

Order filed. The submission is vacated to allow additional time to review
the record. The matter is resubmitted as of this date for the period allowed
by law.

Rylaarsdam, Acting P. J.

We concur: O’Leary, J.
 Bedsworth, J.

G039226 ORANGE COUNTY SOCIAL SERVICES AGENCY
 v.
 MICHAEL C.

Order filed. The above entitled cause is ordered submitted this date.
 Sills, P. J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
January 25, 2008**

Court convened at 9:30 p.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, CA 92701. Panel members are Sills, P. J., Rylaarsdam, J. O'Leary, J. Moore, J. Shahira Naqshbandy deputy clerk attending.

G038373 JULIO C. DOMINGUEZ
 v.
 AMERICAN SUZUKI MOTOR CORP.

Merits. Cause called. Richard A. Derevan argued for appellant. David Barry argued for respondent. Cause submitted.

G038296 THE NEWHOPE CORPORATION ET AL.
 v.
 YAMAHA ELECTRONICS CORPORATION, USA

Merits. Cause called. Michael G. Ackerman argued for appellants. Roger S. Feldmann argued for respondent. Cause submitted.

G038415 JOAN D. DAY AS TRUSTEE ETC.
 v.
 JOSHUA FADEN ET AL.

Merits. Cause called. Vicki M. Buchanan argued for appellant. Stephen M. Margo argued for respondent, Joshua Faden. Attorney Suzanne M. Tague argued for respondent, Mark Faden et al. Cause submitted.

G038603 NELLIE GAIL RANCH OWNERS ASSOCIATION
 v.
 RALPH COLOMBO ET AL.

Merits. Cause called. Tracy H. Ettinghoff argued for appellants. Steven L. Rader argued for respondent. Cause submitted.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
January 25, 2008 (cont'd)**

G038363 THE PEOPLE Not for publication

v.
JESUS MENDOZA

Opinion filed. The judgment is affirmed.

Sills, P. J.

We concur: Rylaarsdam, J.
 Bedsworth, J.